The above-referenced application has been reviewed in light of the Examiner's Final Office Action dated May 12, 2004. Claims 1, 10 and 12 have been amended. Therefore, Claims 1-20 are currently pending in this application. The Examiner's reconsideration of the rejections is respectfully requested, particularly in view of the above amendments and the following remarks.

The application as originally filed included references to then co-pending application number 09/027,637 (*see* Application at p. 21, lines 7-14; *Id.* at p. 25, lines 8-14), which was filed on February 23, 1998 and disclosed an organized tree of stories for a video. The legal relationship of the present application to the parent is now memorialized in the amended Cross-Reference to Related Application.

In accordance with the Office Action, Claims 1-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,751,776 to Gong in view of U.S. Patent Application Publication No. US 2003/0028378 to August et al. Claims 1, 10 and 12 have been amended.

Amended Claim 1 recites, *inter alia,* "generating summaries of a video comprising ... generating an organized tree of stories responsive to the video; providing summary sentences ... for each story in the tree; ... auditing the summary sentences to generate ... summary audio segments corresponding to an auditory narration of each story; composing ... images to selectively match ... the summary sentences ...". Support for the amended claims may be found in

the specification as originally filed at page 12, line 1 through page 13, line 15. Support for a generally grammatical change to amended Claims 1 and 10 may be found in Claim 12. No new matter has been added.

The '776 patent reference to Gong is generally directed towards the creation of theme-based personalized multimedia summaries from a database of multimedia items. Gong may apply techniques such as topic clustering and keyword searching to select video images relevant to a selected theme (see, e.g., Gong at FIG. 1, step S100). Gong may also prepare summaries of its multimedia data by searching the keywords and using heuristics to select complete sections of multimedia data as summaries.

As indicated by the Examiner, Gong fails to teach or suggest "auditing the summary sentences to generate a plurality of summary audio segments corresponding to an auditory narration of each story", as recited in amended Claim 1. In addition, Gong clearly fails to teach or suggest "generating an organized tree of stories responsive to the video", as also recited in amended Claim 1.

In addition, Applicants' respectfully maintain that Gong does not show processing individual media segments of such multimedia, namely audio and video segments, to create its summaries. Thus, Gong necessarily fails to teach or suggest "matching said summary audio segments with the summary image segments" as set forth in amended Claim 1.

Gong relies on keyword search, topic clustering, natural language

processing and the like to search for relevant multimedia clips or sections that match a theme (*see Id.* at col. 6, lines 28-31 and lines 37-45). Thus, Gong not only fails to teach or suggest, but teaches away from "composing the set of images…to generate a plurality of summary image segments" and "auditing the summary sentences to generate a plurality of summary audio segments…" as recited in amended Claim 1.

The Examiner has cited the published application reference to August et al. for the suggestion of "auditing the summary sentences to generate a plurality of summary audio segments corresponding to an auditory narration of each story" as set forth in Applicants' amended Claim 1. August is generally directed towards an interactive educational language instruction method that attaches audio to text in a lesson by "recording phrases, words, etc., creating illustrations … linking sound files with images" (*see* August at p. 1, paragraph 4). This is done by combining audio with an illustration or video to synthesize an "audio-visual" lesson. August fails to show the selection, separation and synthesis of its many media materials to create summaries of such material.

Thus, the application reference to August et al. fails to overcome the above-described deficiencies of the '776 patent reference to Gong. That is, Gong in view of August et al. fail to teach or suggest "generating an organized tree of stories responsive to the video", "auditing the summary sentences to generate a plurality of summary audio segments corresponding to an auditory narration of each story", "composing the set of images to selectively match the

set of images with the summary sentences to generate a plurality of summary image segments", and "matching said summary audio segments with the summary image segments", each as recited in amended Claim 1. Likewise, amended Claim 12 recites like features that are neither taught nor suggested by Gong in view of August et al.

Amended Claim 10 recites, *inter alia,* "generating an organized tree of stories responsive to the video", "capturing audio clips from video clips, said audio clips corresponding to the summary sentences" and "composing the video clips to selectively match the video clips with the summary sentences ...". Since Gong shows creating theme based summaries by using searching techniques on multimedia materials, as discussed above, and August shows creating instructional audio-video materials by attaching audio to images, video, etc., as discussed above, the combination of Gong in view of August not only fails to teach or suggest, but may teach away from "capturing audio clips from video clips ..." and/or "composing the video clips to selectively match the video clips ...", each as recited in amended Claim 10. Hence, even if, *arguendo,* Gong and August were properly combinable, such combination would not yield the particular recitations of amended Claim 10.
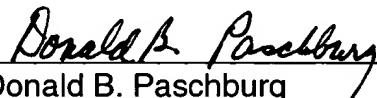
Accordingly, amended Claims 1, 10 and 12 are neither taught nor suggested by the '776 patent reference to Gong in view of the application reference to August et al., nor by any of the other references of record in this case.

Conclusion

It is respectfully submitted that amended independent Claims 1, 10 and 12 are in condition for allowance for at least the reasons stated above. Since the dependent Claims 2-9, 11 and 13-20 each depend from the above claims and necessarily include each of the elements and limitations thereof, it is respectfully submitted that these claims are also in condition for allowance for at least the reasons stated, and for reciting additional patentable subject matter. Therefore, Claims 1-20 are each in condition for allowance.

All issues raised by the Examiner having been addressed, reconsideration of the rejections and an early and favorable allowance of this case are earnestly solicited.

Respectfully submitted,

Donald B. Paschburg

Donald B. Paschburg
Reg. No. 33,753
Attorney for Applicant

Correspondence Address:

Siemens Corporation
Intellectual Property Department
170 Wood Avenue South
Iselin, New Jersey 08830
(732) 321-3191

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